

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

**IN RE: VALSARTAN, LOSARTAN,
AND IRBESARTAN PRODUCTS
LIABILITY LITIGATION**

MDL No. 2875

Honorable Robert B. Kugler,
District Court Judge

This Document Relates to All Actions

SPECIAL MASTER ORDER NO. 78

THE SPECIAL MASTER HAVING CONSIDERED the Parties' letter of May 25, 2023 reporting on a compromise reached on certain issues raised at the Multi District Litigation ["MDL"] Biweekly Discovery Conference held May 17, 2023,

IT IS HEREBY ORDERED this 25th Day of May, 2023, that Section 8.0 of Case Management Order No. 32, as previously amended by Case Management Order No. 32A, is hereby amended to read:

8.0 Regarding the reports of the damages experts and their depositions.

8.1 By the earlier of 21 June, 2023, or 14 days after Plaintiff MSP Recovery Claims, Series LLC ("MSPRC") completes its supplemental production of "Part D Direct Subsidy Amount" data from the monthly MMR datasets for EmblemHealth and Summacare, defendants shall submit their responses to the report and forthcoming supplement to the report of plaintiffs' damages expert Dr. Rena Conti, but defendants shall not file any report by a damages expert that does not respond specifically to Dr. Conti's damages report and supplemental report [that is, no

so-called independent damages report shall be filed] nor shall plaintiffs file any reply to defendants' report(s) responding to Dr. Conti's damages report.

MSPRC has estimated it will complete its production of direct subsidy data by approximately 7 June, 2023. The presumptive deadline of 21 June, 2023 shall be subject to lengthening in the event MSPRC is materially delayed in its production, in which event the parties shall advise the Court promptly, and

8.2 By 21 June 2023, the parties may submit a schedule for deposing the damages experts.

ORDERED this 25th day of May, 2023.

s/ Thomas I. Vanaskie
Hon. Thomas I. Vanaskie (Ret.)
Special Master